

Remarks

Claims 9,10 and 12-16 stand rejected under 35 USC 103(a) as being unpatentable over Zinke (US Patent Application Publication 2005/0094674) in view of Taylor (US patent 7035246). Claim 11 stands rejected under 35 USC 103(a) as being unpatentable over Zinke (US Patent Application Publication 2005/0094674) in view of Taylor (US patent 7035246) and Williams (US patent 6185247).

In response to these rejections, the Applicant has amended independent claims 9, 15, and 16. For the reasons given below, it is submitted that one with ordinary skill in the art could not have arrived at the subject matter recited in claims 9-16 in an obvious manner. Claim 9 recites features not disclosed in either of Zinke or Taylor. For that reason, one with ordinary skill in the art could not have combined the teachings of Zinke and Taylor to arrive at a network system with the features recited in claim 9.

In particular, neither Zinke nor Taylor teaches the feature of "a network node to be integrated is adapted to detect activity of other network nodes" as recited in claim 9. In the Office Action, it has been asserted that Zinke teaches such a feature in paragraph 0014. However, as follows from the paragraphs before and after 0014, Zinke discloses that a bus monitor monitors the 'activities'. The bus monitor *controls* the access of the communications nodes, e.g. access for a node is blocked if a behavior not compatible with the predefined communication time schedule has been detected (see § 0016). Since the bus monitor *controls* the access, the bus monitor is already active in the network and therefore integrated, as also follows from §0026 which describes that, during initialization, the bus monitor remains deactivated. Accordingly, Zinke does not disclose a network node to be integrated. Furthermore,

the bus monitor does not make a decision based on whether or not there is activity, rather on a comparison between an observed pattern and the predetermined communication schedule. It should be noted that Zinke defines 'activities' as state transitions from inactive to active and vice versa (see § 0017, first sentence). Accordingly, Zinke discloses that the bus monitor monitors the state transitions and compares the state transitions to the predetermined communication schedule. Thus, the bus monitor does not detect activity of other network nodes, i.e. whether or not there is any activity at all, rather monitors whether or not an observed pattern of state transitions compares to the predefined communication schedule. Accordingly, Zinke does not teach a feature corresponding to "a network node to be integrated is adapted to detected activity of other network nodes" as recited in claim 9.

Taylor teaches a system and method for maintaining a global time reference among a group of network devices. Each of the network devices has a clock which is in synchronization with the clocks on each of the other network devices (see column 4 II. 4-6). Each network device asserts its local time reference by broadcasting a packet including a time stamp indicating the local time reference to the other devices (column 4 II. 45-51) and adjusts its clock towards the time indicated by the received time stamps (see column 4 II.13-16). Thus, the network devices are broadcasting and therefore already active in the network. The network devices described in Taylor are, accordingly, already integrated. Taylor discloses that a new device may provide a global time reference of all 0's, (see column 7 II. 64-66), which will be ignored by the other nodes. Since the new device broadcasts packets, the new device is integrated. Furthermore, Taylor does not disclose that the new device detects the activity of other network nodes. Accordingly Taylor does not teach a feature corresponding to "a network node to be integrated is adapted to detect activity of other network nodes" as recited in claim 9.

Thus, neither Zinke nor Taylor teaches a feature corresponding to "a network node to be integrated is adapted to detect activity of other network nodes" as recited in claim 9.

Furthermore, neither Zinke nor Taylor teaches that a network node is arranged: "in case no activity is detected, to assign itself as said reference network node and to transmit predetermined position messages to other network nodes" as recited in claim 9. It is respectfully observed, that it has already been acknowledged in the Office Action that Zinke does not disclose such a feature (see the Office Action at page 3 first paragraph thereof). As explained above, Taylor does not teach a detection of the activity. Accordingly, Taylor cannot teach what decision is taken in case no activity is detected. Furthermore, Taylor teaches that the new device adjusts its local time reference to the received time stamps or sets the local time reference to a received global time reference (see column 8 II. 1-4). Accordingly, the new device needs to receive data, which requires activity on the network. Thus, Taylor discloses only a situation in which there necessarily needs to be activity and is completely silent on a situation without activity. Moreover, it is observed that Taylor teaches a new device sends a time reference of 0's only which will be ignored by the other devices (see column 7 II. 64-66). Besides the fact that broadcasting implies that the new device is integrated in the network, the new device does not form a reference network node, since the other devices will ignore this time reference and not adjust their time reference to the time reference of the new device. Thus, Taylor does not teach that that a network node is arranged: "in case activity is detected, to assign itself as said reference network node and to transmit predetermined position messages to other network nodes" as recited in claim 9.

Furthermore, neither Zinke nor Taylor teaches that a network node to be integrated is arranged "to select, in case activity is detected, a network node from which a position message is received as said reference network node and to adjust its local communication time schedule to said reference node communication time schedule" as recited in claim 9.

It is respectfully observed, that it has already been acknowledged in the Office Action that Zinke does not disclose such a feature (see the Office Action at page 3 first paragraph thereof). As explained above, Taylor does not teach detection of the activity. Accordingly, Taylor cannot teach what decision is taken in case activity is detected either. Furthermore, Taylor teaches that the new device adjusts its local time reference to the received time stamps or sets the local time reference to a received global time reference (see column 8 II. 1-4). Thus, the new devices uses the time information from any device that transmits this. Accordingly, Taylor does not teach that the new device selects a network node. Thus, neither Zinke nor Taylor teaches that a network node to be integrated is arranged "to select, in case activity is detected, a network node from which a position message is received as said reference network node and to adjust its local communication time schedule to said reference node communication time schedule" as recited in claim 9.

Moreover, neither Zinke nor Taylor teach that a network node to be integrated is arranged: "to integrate as an active network node in case of a positive result of an agreement check between said local communication time schedule and communication time schedules of at least a part of active network nodes" as recited in claim 9. It is respectfully observed that it has already been acknowledged in the Office Action that Zinke does not disclose such a feature (see the Office Action at page 3 first paragraph thereof). Taylor teaches that the new device starts broadcasting a global timer reference with 0's. Besides the fact that broadcasting implies that the new device is integrated in the

network, Taylor does not disclose any condition imposed on this broadcasting and accordingly does not disclose that there is an agreement check between a local communication time schedule and communication time schedules of at least a part of active network nodes. Rather, Taylor teaches that the new devices accept to adjust its local time reference to the received time stamps or sets the local time reference to a received global time reference without mentioning any check. Thus, neither Zinke nor Taylor teaches that a network node to be integrated is arranged "to integrate as an active network node in case of a positive result of an agreement check between said local communication time schedule and communication time schedules of at least a part of active network nodes" as recited in claim 9.

Thus, as has been explained above, claim 9 recites features not disclosed in either Zinke or Taylor. For that reason, one with ordinary skill in the art could not have combined the teachings of Zinke and Taylor to arrive at a network system with the features cited in claim 9. Claims 10-16 are either dependent on claim 9 or recite features similar to those of claim 9, which are not disclosed in either of Zinke or Taylor. Accordingly, one with ordinary skill in the art could not have arrived at the subject matter cited in claims 9-16 in an obvious manner.

The case is believed to be in condition for allowance and notice to such effect is respectfully requested. If there is any issue that may be resolved, the Examiner is respectfully requested to telephone the undersigned.

No new matter has been added in this amendment.

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